

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 23-CR-309-JFH-4

DUSTIN LOUIS PALMER,

Defendant.

OPINION AND ORDER

Before the Court is a Joint Motion for Continuance (“Motion”) filed by Defendant Dustin Louis Palmer (“Defendant”) and the United States of America (“Government”) does not oppose the requested continuance. *Id.* at 84. For the reasons set forth below, the Motion is GRANTED.

Defendant first appeared in this case on February 6, 2024. Dkt. No. 84 at 1. From that time to present, Defendant and the Government have exchanged discovery and engaged in preliminary plea negotiations. *Id.* at 1-2. Discovery in this case is voluminous and the Court previously declared this case complex on that basis. *Id.* at 2; Dkt. No. 23. Therefore, Defendant and the Government request additional time to allow defense counsel to fully review the discovery and more meaningfully engage in plea negotiations or, if plea negotiations fall through, to allow the parties to adequately prepare for trial. Dkt. No. 84 at 2.

The Court has declared this case complex pursuant to 18 U.S.C. § 3161(h)(7)(B)(ii). Dkt. No. 23. The Court further finds that the ends of justice served by granting the continuance requested outweigh the interests of the public and the Defendants in a speedy trial. Thus, pursuant to 18 U.S.C. § 3161(h)(7)(B)(ii), the ends of justice dictate that the period of delay shall be excludable in computing the time from which the indictment was filed and the time within which the trial of this action must commence.

IT IS THEREFORE ORDERED that the Joint Motion for Continuance filed at Dkt. No. 84 is GRANTED. The jury trial set for March 25, 2024 at 8:45 a.m. is stricken. The following amended scheduling order is hereby entered:

Joint status report regarding production of discovery filed: 5/2/2024

Notices filed: 5/2/2024

This includes all notices required by the Rules of Criminal Procedure and Evidence, including but not limited to, notices pursuant to Rule 16, 404(b), 412, 413, 414, or 609.

Motions to dismiss for insufficient indictment filed: 5/2/2024

Motions and objections to notices filed: 5/9/2024

Absent good cause, motions in limine shall be filed by this date

Motions for bill of particulars shall be filed pursuant to FRCrP 7(f)

Pretrial conference: 5/30/2024 at 9:30 am

Voir dire, jury instructions, stipulations, & trial briefs filed: 6/14/2024

Witness and exhibit lists exchanged between counsel and
emailed to courtroom deputy (do not file): 6/20/2024 by 4:00 pm

Three hard-copy exhibit binders delivered to Court: 6/20/2024 by 4:00 pm

Jury trial: 6/24/2024 at 8:45 am

Due to the Court's multi-district caseload, this schedule is relatively inflexible.

Pursuant to LCrR 47-2, any response shall be filed within seven days of any motion's filing. Replies are not permitted without leave of Court. If leave is granted, replies shall be limited to five pages.

Only one omnibus motion in limine per party and one motion to suppress per defendant is permitted without leave of Court.

The Court shall summarily deny without prejudice any motion that does not comply with LCrR 47-4, which requires a motion state on the first page whether or not it is opposed and, if opposed, state whether concurrence was refused or explain why concurrence could not be obtained.

The parties should meet and confer in good faith to discuss any stipulations that would streamline the issues at trial. Any stipulations agreed to should be submitted by the date listed.

If the parties anticipate a lengthy pretrial/motion hearing, they are directed to promptly contact the Courtroom Deputy and the hearing will be reset.

If the parties anticipate a plea of guilty, they are directed to promptly contact the Courtroom Deputy and a change of plea hearing (separate from the pretrial docket call) will be set. The parties must provide a petition to enter plea of guilty and any plea agreement (if applicable) to the Court and file any superseding information (if applicable) at least three business days prior to the change of plea hearing.

The parties are encouraged to review the Court's [Criminal Guidelines](#).

IT IS FURTHER ORDERED that the time from March 25, 2024, inclusive, to June 24, 2024, inclusive, is excludable pursuant to 18 U.S.C. § 3161(h)(7).

Dated this 28th day of February 2024.



JOHN F. HEIL, III
UNITED STATES DISTRICT JUDGE